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U.S. DISTRICT COURT E.D.N.Y.

★ JAN 04 2012 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JAMES MARKELLOS,

-X

BROOKLYN OFFICE

Plaintiff,

ORDER

-against-

11-CV-5211 (NGG) (LB)CLERKS OF THE U.S. COURTHOUSE
E.D.N.Y.; SUPERVISOR, *Public
Defenders*,

Defendants.

-X

NICHOLAS G. GARAUFIS, United States District Judge.

On October 21, 2011, pro se Plaintiff James Markellos, currently incarcerated at Nassau County Jail, filed the above-captioned action pursuant to 42 U.S.C. § 1983. (Docket Entry # 1.) On the same day, the Clerk of Court notified Plaintiff that his submission was deficient because it included neither the requisite filing fee nor an application to proceed in forma pauperis (“IFP”). (Docket Entry # 2.) The Clerk’s notice included a copy of the proper IFP application form and instructed Plaintiff that his case would not proceed unless he filed a completed application within 14 days of receipt. (*Id.*) Plaintiff has not responded to this notice, and the time to do so has now passed. Accordingly, the action is dismissed without prejudice.

SO ORDERED.

s/Nicholas G. Garaufis

Dated: Brooklyn, New York
January 3, 2012NICHOLAS G. GARAUFIS
United States District Judge